

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.08 A, Closed Area No. 31-A, Rockport Harbor to Ducktrap Harbor, Lincolnville, promulgated on March 29, 1994, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.08 A, Closed Area No. 31-A, Rockport Harbor to the Ducktrap River, Lincolnville.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the area described as follows: (1) westerly (inshore) of a line beginning at the southeastern end of Deadman Point, Rockport, and running northeasterly about 7,000 yards to the "C1" navigation aid located at Dillingham Ledge; then running northeasterly about 8,000 yards to the RN"2" navigation marker located at Haddock Ledge; then running northwesterly (about 1500 yards) to a red painted post located on the northern mouth of the Ducktrap River in the town of Lincolnville.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: November 29, 1999


AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
McKown Point Road
West Boothbay Harbor, Maine 04575

THE COURIER GAZETTE
December 2, 1999

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.08 A, Closed Area No. 31-A, Rockport Harbor to Ducktrap Harbor, Lincolnville, promulgated March 29, 1994, and replaces it with a new regulation. This new regulation enlarges the closed area in Ducktrap Harbor.

Department personnel have sampled the area and analysis of samples revealed that this enlarged closed area is subject to microbiological pollution and is a threat to public health. Consequently, harvest of shellfish in this area is prohibited to protect the public health.


E. PENN ESTABROOK
Deputy Commissioner



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area 31-A, Rockport Harbor,
to the Ducktrap River, Lincolnville

